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Thu, 11/4 5:39PM • 1:54:10

00:03

Good afternoon, everybody. It's two o'clock and this issue specific hearing is now resumed. Aspinall. Mr. Hansen, can I just confirm that the recording and live stream has commenced? I can confirm that the recording has started. Yes, a lot, I can see that the live stream has caught up and there is captions. That's great. Thank you very much for confirming that. Thank you. What I would now like to do having spent the morning discussing various transport traffic where I'd like to be, if possible is to look at the alternative proposal that was put forward by the by Mr. Mineral and his team in terms of the owners of Barry Hall estate, if I could, please. And I think the best place to start might be with you Miss clutton, if I could have read and seen the submissions by Mr. Minella, and the associated team. So thank you for those. But I thought it might be helpful if you could just give us a very brief run through what they are, because that will then set the scene for next set of questions and bits and pieces like that.

01:20

Yes, sir. Just before we do that, which absolutely Miss Mr. Foster was intending to do that anyway. But just before we do that, obviously, the bullet point, this is directly to is the suitability of the proposed junctions. And I think before we get to the actual alternatives, there's a logically prior set of comments to that about the suitability of the proposed junction that I'd just like to ask Mr. Foster to address you on first of all, if that's okay with you, it's not gonna be terribly long. That's absolutely fine. Thank you.

01:59

Sir. Malcolm Foster, again, representing Mr. Menon. Yeah, I won't repeat. Again, this is in my 157. So I'll be brief on this issue. The rationale for the proposed action was presented in the junctions side vote strategy report, and report explained the need for a fully grade separated option to support the aim to create a more free flying safe, and serviceable integrated network. However, the report did not detail or justify why the proposed online dumbbell roundabout option was preferred, was preferred over an offset option or a single roundabout to bridge option, which would have smaller footprints and offer a potentially more efficient, efficient solution. The applicant consultants have confirmed in initial discussions with us that the key criteria that they've used to confirm the current junction designs is to target a design capacity with RFCs or ratios of flows to capacity of 85% or less on all approaches, in order to avoid unacceptable queues. The results indicate that both roundabouts are performing well below this session held an all operational or 2014 design capacity for both the width and WL and without end WL scenarios. Whilst RFC provides a good indication of the overall performance of the junction stay should not be taken in isolation. As an indicator of scheme performance, it is considered that given the level of growth proposed in the future design is 2040. The approach to modern injunction performance sets a very high bar of essentially free flow traffic with no queuing. This was this approach would, in our opinion, results in the potential over design of this junction, even under the width in WL scenario, it's essentially a predicting divide approach, but we didn't build spare capacity, even in 2014. So that's really the summary. I just wanted to say on that, that issue.

04:21

So thank you, unless you or the applicant have any,

04:27

just what I was going to do before we perhaps there's some general points there that may get lost as we sort of move through bits. So I just like to sort of ask as the applicant, if there any particular points that they want to raise at this stage and in response to this.

04:45

Good afternoon. So my offer on behalf of the applicant of all already touched on our position on this. So it's covered in the scheme design report within the transport assessment, either previously covered the design hierarchy followed to provide the degree itself tradition solution slightly confused how an offset solution that would require a skewed structure would have a less footprint than the parallel structure that we've provided with the dumbbells is taped to the mainland as possible. So if there's any challenge on that, so that would be my query, how would an offset structure take less lantic? As I touched on previously, you have to consider the number of arms entering the room to bow under the Safety parameters around the flaring and the junction deflection. The junctions have also been subject to review by the safety engineering standards team and the technical assurance partner on air for the applicant, which is Atkins as another consultant. So they have went through rounds of scrutiny. In addition to that, they've also been appraised by the knowledge Western link team as well, as part of the Norfolk County Council programme. Thank you, sir.

05:48

Okay, thank you. Just on the comments, in terms of more of a, I think the quote was sort of predicting provide approach with additional capacity. Is there anything that the applicant wishes to say in sort of response to that?

06:04

Thank you. So by offer on behalf of the applicant, the applicant is bound by the guidance within the applicants transport planning group within SES. Achieving the ratios of below point eight five is a standard approach within the industry to the design and delivery of major highways projects. It would not be within the lane of the scheme objectives to introduce a scheme that would have queuing, as I'm sure you can understand, one of the scheme objectives is to shoot a free flowing network that improves safety. So thank you.

06:32

Thank you very much. Okay, Mrs. Clinton, if I could sorry, misquote, and if I could come back to you, in terms of the wider sort of stuff in terms of the alternatives that you suggested,

06:51

sir, yes, thank you. In terms of this, what I'm going to do is ask Mr. Foster, to provide you with the overview of the alternatives. I'm then going to come back to myself just to give you a few points of context for the response to the applicants appraisal, but I suspect actually that once you've heard the

summary, you're wanting to hear from the applicant in relation to their their response, no doubt. So we'll go to Mr. Foster again first place.

07:25

composter. Mr. Metal, again, referring to my rec 1057. The scheme with the undertaking has identified three alternative options that would reduce in our belief the current impacts on the manuals are saved. And option one is an alternative offset alignment on lessons to land north a variable estate for the north of the existing APR seven. It could either either avoid or reduce the current permanent impacts upon the estate, this returned to the dumbbell layout, the offset line that would potentially allow the southern dumbbell of the proposal would need to change to be moved to the north of the current a 47. And would enable the retention of more current a 47 to drive access to the variable the state northern access and Hillcrest property to the west to be retained, access to request to be retained. And watching to an alternative and potentially more efficient now is proposed in the form of a large superbond and to bridge configuration. And option three is based on initial initial review of the operation assessments. The proposed South dumbbell round about appeared appears to be incredibly designed and could be reduced in scale. And so this option three times dumbbell out and is essentially a variant of option one. And these, these were provided in reps 3045 presentation options to potential variants are being proposed for each of these options. And option variant A retains the new link of the proposal and connecting Sandy Lane would like to use change. And the option variant B retains the existing a 47 west of Hillcrest with an underpass proposed to be built under the new mainline 847. Ladies go. All the alternative option A schemes are expected to meet the key objectives set out in the applicants introduction to the application. For option two, the additional cost of a second bridge would be balanced against a more fuel efficient layout and reduced environmental impacts. The same alternative offset alignment and junction options identified with all of our greater retention of the currently 47 An hour much improved and less convoluted access Ruffolo Traffic, pedestrians and cyclists between hunkering and hunting him, rather than the one currently proposed. For all three alternative options, the option B variants would retain the existing a 47 west of Hillcrest with an underpass built under the new jewelled, a fortunate ladies go. Yeah, the added cost of this underpass will be offset by the benefits to local traffic and access by non car nodes. In addition, the retention of the existing a 47 would also benefit from fewer utility like diversions on the existing road network, improve construction methodology, and better a 47 traffic management during the construction phase. With new Sandy lane, link link removed the area to the north of the new main line, a 47 would be readily available as an uninterrupted space north of the main line to use as a template for temporary construction compounds. And then for example, to its landowner, either for renewed African agricultural use, or as a potential future service area. Discussions and responses to date, but did not give confidence that the alternative options presented on behalf of Mr. Menon are being given genuine consideration. And the technical responses to date simply critique the option to post and do not address Mr. mental's principal complaint that no other options to the fully upgrade, current scheme for which to vote and consent is now sort of been considered.

11:37

And so just before I leave Mr. Foster, can I just ask him to explain to you his reference to three alternatives there because obviously the alternatives document but rep. 3045 focuses on it. Can I get sorry? Can I just ask Mr. Foster to explain that distinction between three options and two options?

12:06

Yeah, a couple years after I saw I had done actually but the option option one,

12:12

but in the main alternatives paper, there's a presentation of two options with two alternatives rather than three. And I just didn't want there to be any confusion for you, sir, about what was being presented in that paper. If there isn't any confusion on your thoughts about that, then that's fine. Yeah. So carry on.

12:30

Yeah, no, sorry to interrupt. So I was just say options. I summarised through as per my, my written representation at 1057. And then the presentation options, reps 3045, then followed up with those those options. So I think it's fairly clear in terms of what those those see options are, I think in my rated representation, there was only two of those options labs available. And that was substance that can be addressed by the by the submission of reps V. 045.

13:02

If it helps, that's what I've got up in front of me at the moment. Is the screen is there red 3045 submissions and the plans associated with that. So I've got those in front of me at the moment. If that helps.

13:15

Thank you very much. So in essence, anything else you want to help from Mr. Foster on? We'll pause there.

13:28

No, that is the few questions but it may well be that you may we'll pick those up as we go through. So rather than posing questions that may get dealt with, if i i There's nothing that I want to ask at this stage anyway. Yeah. Thank you. And if I could just go over to the applicant, please be Mr. Arthur responding.

13:52

Good afternoon, sir, by the offer on behalf of the applicant. I just like to pick up on on a couple of points really. First of all, obviously, the applicant has submitted their alternative junction appraisal report to the examining authority. And to Mr. Manos team outlining our technical review of the proposals and accordance with the UK dmr which was undertaken by an individual who has 20 years experience and the application of the UK dmr within the major projects environment. I would also note that the the applicant has requested that Norfolk County Council provide review and comment on said report given that the impacts on the local network are and the applicants view significant severe when you look at the departure was proposed for the the geometry required in the proposal submitted. I'd also like to move on to the point that and nowhere in the report does it state that the proposed alternatives by Mr. may now have not been designed with any vertical alignments. They are simply 2d plans with air forks that are graphical and bear no resemblance to the verticality of the proposals. Therefore, it is unclear to the applicant how in the future clusion made by Mr. menial and point 20 that the professional advisors consider any of the four options are feasible. And that takes me on to the options. It's quite clear in the

document provided that there are only two options with two variants. Yet the proposal table just note to the examiner as a three options. So there is a disparity and that sort of, however, we have submitted our response. We await feedback from both the interested party follower examiner's questions, and any feedback from the local highway authority. So thank you.

15:39

Thank you for that. Mr. Mr. Coming on behalf of the County Council. Are there any specific comments that you wish to make at this stage with regards to the alternative suggestion?

15:55

I don't have any sort of David coming Norfolk County Council. I don't have any comments at this stage, I would want to make I'm more than happy to provide something in writing if you think that would be helpful. So on the alternatives tabled,

16:10

I think it would be helpful to given the these alternatives involve the stub for the the MW L and the implications for these in terms of the NW L and design standards and requirements that you have put that piece of infrastructure. And because that would then give me a complete picture to make sure that there are issues in terms of the standards you need to deliver whether it's achieving those as well. And that would help me in my consideration.

16:38

Yep. David coming for the Norfolk County Council. Yes. So we can look at those and respond in writing.

16:45

Thank you. If I could just ask sorry, Mr. Mr. Arthur, I should have perhaps us another question, if I can. I've seen that the sort of response that you've submitted in terms of your assessment. At this stage, do you know or have there been any works with regards to the environmental impacts of the scheme because I know that, that there was makers that it would reduce environmental impacts. And whether this scheme would change any of the IES conclusions either for the better or for the worse.

17:25

Thank you, sir, by offer on behalf of the applicant. The first point I'd like to point out, which I was remiss of me not to make it the last intervention was that the proposals actually do alter the the PRA approved a 47 Corridor by moving northwards and off the lane of the the approved pra route. Therefore, it was followed in Python on additional landowners. The boat was not consulted as part of the consultation process. And therefore, it would be remiss of the applicant to not remain the examiner to seek their their opinions on on set alternatives. With regards to the statement made by Mr. Foster around a more efficient low, again, without the scheme haven't been designed in the vertical plane. It's unclear how such a statement can be made and backed up. No volumes can be ascertained from the information provided to level comparison. To make such a statement and our opinions. I would also like to point out that there are sections in the report where it is quite clear that the slip road lens are nowhere near sufficient to be in accordance with the UK dmr. And again, the applicant has highlighted that but

without the vertical information, it is not possible to make a full assessment. Therefore, the assessment is focused on the horizontal elements remodeler. Thank you.

18:48

Thank you very much. Miss Clifton. In fact, if I could come back to you. What would be helpful, again, is a similar sort of question that he was referencing there to reduce environmental impacts. And it will be helpful if you could explain in a bit more detail how which impacts that would be. And then forgive me, Mr. Foster, you may have mentioned it already. But just in terms of land take, I think what you said it would be less land. However, just to clarify, is that less land from your clients perspective or less land as a whole in total?

19:24

So if you don't mind, I'm going to address you on both of those points. So So just in relation to the environmental impacts. And there, there's actually there's a point of the just another point of context that I think it's really important to bear in mind here. It's a point that I made to yesterday. Sorry, roughly Platon further Mr. Mandel. It's the difficult position that Mr. Manual is in in suggesting alternative designs within the confines of this examination process process. in circumstances where we say the work should have been done by the applicant in the several years that it had to reach the same point, and in circumstances where it has open to it the resources of a government agency. And so our hope you will bear that in mind when you're considering points made or criticism made by the applicants in relation to matters such as vertical alignment, which I know is a point that Mr. Ellis will address your anyway, it isn't incumbent upon Mr. Mandel to provide you with a full redesign to the same standard that the applicant has done, what we consider we need to show you is that there is a feasible and preferable alternative. So that's just a point of context, in terms of the benefits, the environmental benefits, so they were identified in rep 3045, in particular, at paragraph 12 to 13 of that document. And so if you look at that, you'll notice that it's public benefits other than benefits accruing to the very horrible state that are identified there. And I've note that there's been no response from the applicants at this stage to the environmental benefits that are identified there. So that is in terms of environmental benefits, in terms of land intake. And the even on the claimants, even on forgiving the applicants own accounts, there are it appears that there are two options, at least, which would appear to have a net reduction in landscape overall, not just in relation to Mr. mental's land, we it's obvious that the land take will be different. And in terms of whether we accept the assessments of additional or lesser land type that the applicants provided. That's something that we're intending to provide you with a fuller response on in writing, we haven't had the we haven't had this very long. And we haven't had the opportunity to consider that in detail. But but the intention is to comment on that for say, if you look at it even on the applicants own assessment at the moment, with which we don't necessarily agree, there would be a net reduction in permanent land take on that take as well, we noticed that there's not been no consideration of alt differences in temporary land take. So that that is the point that we ought to identify for you. I think as well there, there are some of the environmental disadvantages that have been flagged in the appraisal that's come from the applicant, and I think Mr. Ellis will touch on on one or two of those but but again, so we are intending to provide you in due course with a full written response to the the appraisal response that we've had from the applicant. And so, against that background, I'm going to ask Mr. Ellis to provide his initial response on the document that we have had. So bear with me whilst I just scoot the camera around a little bit slow.

23:40

Good afternoon. My name is Joseph Ellis. And I'm active on metal today. I think we could spend many hours talking about highway designs bowing to try and keep this relatively short. And listen to responsibly Africa and then we ask you to confirm you will submit a formal response to their appraisal. But I'm obviously here to answer any questions you have or any questions anyone else may have on the scheme designs. I think first thing to start off was that these are PSD designs are feasibility designs. They are by their very nature, less detailed than the Atkins scheme is of life made notable that the Atkins scheme is not full blown, detailed design. If we need to about why that is the case, I'll come back to it later. But I think key here is what is good design. And a new race is born. I don't know where this where they come from other people raise walks, good design. It seems to me that the Africans response good size does it a call with dmrB which is actually fine. I have no no issue that whatsoever as a highway engineer. But good design, I think nowadays is a bit more than just dmrB everything has to be safe and that's power is safety first. Mr. Foster's spoken back capacity, I know I understand the Africans response by 0.85 RFCs completely understand that I cannot agree that strictly sticking to 0.85 free flowing traffic, no queues in 2014. I do not regard that as good design is a is a design, which of course, I'll be fine. And the African currency state that that's the process of DFT. And a national highway is fine. But is it good design? So I put that there as a headline. The second thing is back to the appraisal, some of the evidence, appraisal the alternatives, again, I don't have any negative view about how that was undertaken. But what I was saying was that there's been a departure from relaxations highlighted within the alternatives. But there are in the African schemes well, and I think the approach has been in terms of an assessment dmrB. And I'll probably for the year will be quite a lot, I think, is a fair appraisal. The individual had the answer about namesake, which is great, the Africans actually identify the difference in land titling. That's all good stuff. Um, so I don't have any kind of negative view about the applicants response. And what we've presented. All I would say, though, is the phrase seem to be a rebuttal. Against Why not as against what if, and having, I've only been involved in scheme a few months, of the actors involved many, many years. But it does seem to be things which could be better. And that can be summed up by just listening to the local people about the operation side. So the side roads, and without respect, I'm just drifting slightly by the I didn't know that I did recall that I heard Sony, I believe that side roads haven't been developed in that level of detail is mainly the main line as well, which I think is an important point, because the key issues in the appraisal do seem to be more about the lack of compliance of dmrB on the local roads of the side roads against the mainline. So that is the context, what I want you to do, because it says maybe you read a short summary, a statement, just giving some, as I said, the key points that so you can review.

27:32

That'd be fine. Yes, please.

27:33

So it'd be better. So first off, this is a statement but to our rails machine, glucose. Say it's noted in national highways appraisal, which is I think is is document a s zero to two of the RPS alternatives as minor changes. But there's not the scouting alternative, erase three key areas, does not read the approach. I don't think it's saying the facilities one word, by note, Mr. Office. Later, the comment we made this previously, that he doesn't consider them feasible. I'll come back to that later. But the thing of

the three points, as I say, the main line, the main line will require rated content ladies Grove under rich on the past. Now, I don't think that's true. And that is a Christian in that the existing 847 To the west of the junction of woodland junction is actually a much lower level, you may have seen that on your site visit, you might have to see it again. And so having a look at the levels of the system, a 47 to the west, quite far to the west, is actually quite low and the a 47, then rises and bandwidth. So I think technically, it is possible to get under the proposed a 47 without raising the levels as currently proposed. That's one key point, because it is kind of a showstopper I agree with if I'm wrong. I agree with national highways, it would be a showstopper in terms of the lady gross underpass. But I do believe it's possible to achieve that. The second point in respect to the mainline is potentially widen the main line to accommodate prior sightlines. Again, I agree with that point. But we're talking about two things here. First of all sightlines may need it may be widened lanes and the mainline because the horizontal geometry has a relaxation. I accept that. But we're not talking about waiting by 10 metres. I'm like that this could be done from half a metre to a metre. So I think it's very minor. Now that part of the beat but your increase your Landtag in terms of the the actual scheme itself, that might be the case, but that's not reason to discount it being a good idea and producing better design. The third point with the main line is an often mentioned it's quite rare. I totally agree with you One of the options, the last round, let's sing roundabouts, we would need to increase the slip road let's they can that can be done quite easily, but very, very easily. And it's our problem. Now, in hindsight, we should have done that one, you can change the scheme. And so I take responsibility for that says mainline sort of three key. The second issue is all about sideways. Again, this could be my fault, in that we haven't been completely clear about various slang, in terms of where that will be closed or not closed, or what we'll be able to use it. To cut long story short on this, the scheme the attorneys can can accommodate national highways preference, or how they deal with various like, aims, the existing seven in that particular area. So again, I don't see that as a showstopper. I see that scheme development basically. The final thing with that too, vocal line, and I don't even agree, myself, Mr. Offer about the neath vertical lines stage obsession is clear, in that Mr. Mandel is not national highways. Not Norfolk County Council. There's only so much money and time could be spent on this, or what we're trying to present is alternatives. We believe we've actually in hindsight, not we're here now is that they should be considered they do have some merit. So I think they're the three key issues. The last few little things are not to say is respect to I think I've dealt with mostly the very me to sex everyone makes I've actually joked around in my statements.

31:43

The last thing is bousman. Archie had mentioned about the use of dmr. So I think this is going to be relevant to a lot of discussion that there might be is the right design document for trunk road design and roadway. So we've ended there are allowances relaxations, straightforward, very common. And departures. Again, they're much more common than people think. The Arches even on the motorways are very, very common, let alone trying to land your carriageway in Norfolk, they are common. And it's the process of being gone through the issue it is, is dmr. The right and the best design document docs, they will Norfolk County Council may say as well. But is it the best in terms of designing local roads and side roads? What tends to happen? If it went continuous being designed, you would end up with the road network around the junction, being out context of all the local environment, you end up in rows, the wider for no reason you're endowed with these staggered distances being wider, greater for no reason. So what I'm saying is my position is get dmr It's a good starting point. You design it. And then you start developing that base and local conditions. And that's to allow for with the MRV. And

you're doing that relaxation, departures, properly national highways and that sort of thing that gone quite a long way along that leg, but there's always compromise. You can't please everyone. But I do believe you've had a mix of this over the last few months. So there's things there which can be improved. There is a fundamental move in the mainline north, which I understand way back to the office of land Landers. But my remit to my instruction is can we achieve that? And is it feasible? So, when I do return stuff today, in this statement on my mind, you should call a stop says all the alternatives feasible? I think they are I believe they are more they have more departures and relaxations, maybe, are they unsafe? No. Maybe acquire more permanent land acquisition? Maybe. But in terms of good design, because I'll go right back to where I started in terms of good design. I think there is the eternities elements of good design. And they could be used and developed further going forward. That's why it says sponsor.

34:23

Thank you very much for that. Thank you. I think you mentioned at the start that this would form part of a further submission. Is that is that your intention that you would then be providing a further response to the next deadline? Everything that you said in terms of good I can then sort of get a proper understanding of things?

34:41

Yes, I think that, you know, we're talking about very selfless and could get bogged down maybe with again, a lot of detail. We can start doing at CD 122, etc. Another another design problems within dmr. I don't. My view is that isn't that this isn't the right place to go. We it's only incumbent upon us to give a proper response to the appraisal, which were due by the by the next deadline. So so that that would be my approach, but basically going forward, yes. And then you would have our response to the issues raised by national highways.

35:19

Okay, that's fine. That that's helpful. Thank you for that. Miss cotton, is there anything else your team wish to add at this stage? Perhaps before I just go back to the applicant?

35:35

No at this not at this stage, as I say, we will address you in writing on the response to the appraisal. We'll try and cover offline take issues as well. And that would be the next step on a deadline for

35:48

Okay. Thank you for that. Appreciate that. Mr. Arthur, is there anything you wish to come back on?

35:56

Thank you so by offer on behalf of the applicant. Obviously, I gave a lengthy summary this morning of the scheme design report. And I don't propose to go back into that soc. Because the the applicants position in terms of the history and the development of the scheme is clearly spelled out in that report. And we've responded to various comments on it previously, and I'm happy to respond again if the examiner has any further queries on that part. So what I would like to touch on is there was a comment made by Mr. Ellis regarding the the question of the level of detail or in the main line and the level of

detail that has been designed to what I will say is that the main line has been designed in accordance with the dmr. It's been designed to a high level to ensure that the applicant can demonstrate the least amount of deviation through the scheme and also to set the limits of deviation accordingly to allow the design to be developed within a tight tolerance for Stage five. So if you recall the limits of deviation of say a plus or minus five metres and plan and plus metre, so the plus or minus one metre vertically, which are the standard allowances so if the main line hadn't been designed in detail, you would have expected the applicant's limited deviation to be far higher than that. So the second point I would like to come on as the obviously the designers fill in accordance with the dmr. There are relaxations present in the design and there are departures present in the zone where applicable. Obviously, one of the scheme objectives is to ensure a safe and reliable network and improve the connectivity and make it more and more accessible network and to do that you have to ensure that what you're providing is safe and fit for purpose. The last point I'll make is that we have provided our appraisal response. Within that appraisal response. You'll see the applicant review on the geometry proposed and the departures proposed as a result of that and they are significantly reduced. The applicant fully accepts that we do have the partners with Norfolk County Council, but it's economy of a skill. So the applicant's departures are far higher in quality in terms of the provided geometry than those of the alternatives are required. That is why the applicant has requested that as a local highway authority, Norfolk County Council provide a formal response on the alternative so thank you

38:09

thank you Miss Rafa Miss Glutton.

38:14

Sorry, can you turn it on? So yes, I think Mr. Ellis does want to come back on employment. Just briefly. I'm just, I'm just going to ask him a question, if you don't mind. So I'm just going to put my mic on off for a second.

38:44

So forgive me for that. I'm going to pass on to Mr. Ellis. The question I just asked him was about whether it would be better for Norfolk County Council to wait until they see Mr. Ellis's response to the appraisal to do their work and Mr. Ellis's view that it would be and that would certainly be my view to because otherwise, I think we're going to end up having to do too, lots of work. So so that's our suggestion. Now I'll pass over with the camera to Mr. Ellis.

39:17

Great, thank you just a brief one. And this might be my fault. Again, I wasn't questioning the details. So one of the main lines is pushing the detail is knowing of the judges and that is actually self-evident from the designs. So main No, I totally agree with the offer has to be designed in detail. To get out in terms of design, it will develop and for construction, but I will talk about that. So apologies that confusion. And then with respect to the local hire as already know it, maybe we can come back to the appraisal, but I hope they understand kind of my design philosophy about the design of the local hire where you work and how we design, even employees in Norfolk, Stafford Essex, how how we can get better design, then strict adherence to the MRA.

40:15

Okay, thank you very much. That's, that's helpful. Thank you. And just before I go back to Mr. Arthur, in terms of your comment misquoted about Norfolk County Council and when they should respond, I'm not going to get involved in that I will leave that for Norfolk County Council to make a decision as to how they how they want to play that whether they want to leave it or not. I don't think it's for me to turn around and say, Please don't respond at this stage. But I take your point that there could be knock on consequences of things going backwards and forwards, depending on when comments are received.

40:51

I think that's right. So I wasn't suggesting that it was for you to do that. But I think the same, obviously, MCC here and hopefully we'll hear Ross suggest that it might be sensible to wait for that, particularly given that we are intending to provide it a deadline for which is next week. So

41:07

that's what I was what I thought, yeah. I'm not sure whether Mr. Coming had any thing that he wanted to say in particular.

41:15

Yes, David coming for Norfolk County Council. I think the point has been answered by Ms. Clutton in terms of when we might expect to see any second round of proposals. And if that fits in with the timetable, then I do agree that I think it's probably better to wait until we see those before commenting. So provided it fits in with the timetable. We'll we'll do it that way. That's okay. So

41:40

that's brilliant. Thank you for clarifying that. That's that's helpful. Mr. Coming. Mr. Arthur, is anything final that you want to pick up on?

41:52

Thank you. So by the offer on behalf of the applicant, the only comment I'd like to make is that the whole design has been designed to the same level of detail to facilitate the limited deviation and ensure that the red line was sort of the red line boundary had this little permanent lantern contemporary antique as physically possible. So the applicant is also bound by the the highways England licence which requires us to obviously design in accordance with the UK dmr. And therefore the interpretation provided this is not something that is applicable. Thank you, sir.

42:23

Thank you very much. As far as I see, I think that probably brings us the end of that sort of discussion on the alternative proposal. I'm just going to make sure there are no other final comments anybody wants to make on

42:36

those?

42:42

Mr. Harker.

42:48

Thank you. So Richard Hawker Winston Valley Alliance. Regarding alternatives, I'm very pleased to see that Mr. manhours options are being looked at. And I endorse Miss Clubmans point that really, it's not for somebody proposing an alternative to do all the detail assessment that within the capabilities of highways England. In fact, I sent a sketch in a year or so ago, as to a possible alternative, an alternative, which which hadn't been looked at in the initial 14, although I was told by the manager at the time that every single alternative had been assessed. And the response I have is that it's significantly deviated from the applicants preferred route announcement. I'm afraid I can't see that. That should be a determining factor for not looking at possibly feasible alternative. And it did not comply with requirements of UK design manual manual for roads and bridges, which may be the case but he would have been nice to have perhaps a little bit more detailed responses to what might didn't conform to dmr. Thanks very much.

44:19

Thank you very much, Mr. Hawker. Mr. Arthur, was there any final comments from the applicant just on the side of things?

44:33

By the offer on behalf of the applicant, sorry, sorry. I think I explained this morning in great detail. In my humble opinion, I've rounded the options in history, the timeline, how the 14 options have been identified as part of the record of their assessment, how they've been sifted, where that information was located. For the four options that were taken to the non starch the options consultation, which then informed the preferred route announcement off the back of public consultation and public involvement along the corridor. Alternatives have been submitted for the design development process, such as the junction proposals are owned with Lynn, both by owning on parish council, and by Western local parish council. And we've responded to those and the due process. We have elements we have incorporated were possible. But obviously, it comes down to the consultation, point nine Medallia consultation, the applicant has to take on the whole, it's not simply the case of an option as suggested an applicant to the doctor, we have to look at the bigger picture across the whole corridor in the scheme, looking at the design standards or scheme objectives and such liquid I'm sure you understand. So thank you.

45:44

Thank you, Mr. Arthur. Thank you that that's that's useful. To use then to conclude this item in terms of the traffic and transport side of things.

45:57

One of the comments that was raised by the county council at Neverland preliminary meetings was with regards to the transfer of assets. And it would just be helpful if we could just spend a moment or two just getting an update on where we are with those and the parties. So it probably is best to start with the applicant first, if I could, and really just a short summary of where we are and what information I may we'll get on that if anything.

46:25

Good afternoon. So by the offer on behalf of the applicant, the applicant is continuing to engage with Norfolk County Council we have a regular de Chunkin call set up which is primarily looking at the the adoption and the handover of the areas of the existing 847 That will be d chunked as part of the scheme. Those conversations also covered the proposed new side roads that would therefore be handed over to Norfolk County Council ownership is part of the local road network. The de Chongqing group are working through the various parts at the moment. There is asset inventory data that's been requested from national highways from the applicant to provide information on the condition of certain assets and discussions are ongoing. There's also a set of plans in preparation at the moment which outlines exactly all assets that are proposed to be handed over to start formalising that discussion, the intent is that this will form part of the applicant statement of common ground with Norfolk County Council as the highway authority. So thank you.

47:24

Thank you, but that's a helpful thing. Mr. Coming, is there anything further that you want to add at this stage? Are you happy?

47:33

Is David coming Norfolk County Council? So I have little to add to what Mr. Arthur has said, as he notes and we are in dialogue and discussions with the applicant about this and it will form part of the statement of common ground. I have to say, though, that, you know, we have asked for in particular a commuted sum in respect of the handover of assets for future maintenance, and whether we'll be able to reach agreement on that point. Soon, I am not sure that it remains under discussion. That is to say we are working towards the statement of common ground.

48:15

Okay, thank thank you for that. But that's how your packages are kept informed just as our everything goes through the process. That'd be great. Miss cotton

48:31

the I don't know what's happened here. Just before we move on. Sorry. Just before we move on from the question. I'm sorry, sir. I'm not sure what's happened to our visibility. But just before we move on from the question of traffic and transport, you'll recall that Mr. Metal did want to address you on the matter of agricultural access. And we agreed that it be appropriate for him to do that. After we talked about alternatives. It maybe he's got something else he wants to come first. But if not, I'm just going to sort this image out and pass over to him if if now isn't the time

49:09

now is the time because as far as I know, I've dealt with everything that I think we need to under the transport side of things. So this would be an actual position. So yeah, I'm happy to take that now.

49:20

Sorry, this camera work is taking a little bit time, but I'm just gonna. Here is Mr. Metal. I'm just going to try and get me slightly out of short. So thank you.

49:36

Good. Good afternoon, sir. Yes, I would also like to talk about agricultural traffic in the area with particular reference to Barry's line. And this follows on from what Jonathan Rush was saying about the same matter before lunch. I'm a full time farmer for 17 years. So I understand agriculture. And I put it here so that agriculture is the lifeblood of the rural economy and track arteries veins. As this rush said, in this vicinity that there is a large amount of land found in the north of the 47 by farmers who are based well to the south. I see what comes down variously every day and I can tell you there are a large number of attractive movements, cultivation machinery, seed drilling, fertiliser contour, farmyard manure, chicken Turkey, self propelled sprayers, combine harvesters, many, many grain trailers, straw trailers, potato harvesters, potato trailers, forage harvesters, nice trailers, etc. Now, these machines are large and very noisy. There is lying is unusual in that there are no dwellings beside it. So I think it would be very bad from an environmental point of view. So all these fuel guzzling polluting machines have to do long details through possibly unsuitable roads, and most probably through the village of hunting them, where there are many houses adjacent to the road, because of the African scheme, which involves closing various lengths of all traffic. Now, with any of our suggested alternatives, there is line could be close to all traffic except trackers, a carriageway could be left intact, and two large concrete barriers could be erected, over which only tractors can pass because of their high clearance. And these would be one just north of my middle drive coming out on various line and one, just the south of the junction between various lines on the dirt road. And these tractors could then seamlessly join the old a 47x existing junction in various land, and a lot of them would turn west along the old 847 through our proposed legacy, underpass, and then upstanding plane to access fields, where they were alone. And in this way, these tractors would not have to clog up the new random mud, walk in danger of crack. Now, this solution could not be pleased with the applicants design, because they would not want the tractors exiting onto immediately onto that some dumbbells for safety reasons. And I also understand that the sack dumbbell will be in banked. So the gradient gradient would probably be to stay. But this is a big problem. Okay, practice. And I think ASCII does address this problem. And I think a lot of the farmers around you will agree with Nate. And there are also quite a lot of farmers who I know are not represented at this hearing will also make these north south movements and they're also agricultural contractors, which is why I think a concrete barrier is the best solution because I know Mr. Rush referred to keyfobs. And I think there are just too many different operators for that to work. So I commend these barriers. I've seen them in a large indestructible fix to the road and will do the job.

53:07

Thank you. Thank you very much for that. And Mr. Arthur at any point you wish to to come back home.

53:20

Yes, sir. Thank you very much by the offer for the applicant. First of all, I'd like to report a statement that Mr. Mill's just made about an increase in traffic through the village of Horning on. The scheme has worked throughout the whole development process with the zoning and parish council to ensure that the scheme did not encourage the additional traffic through opening today extend the builder features proposed within the applicant submitted scheme to reduce the traffic to create a chicane on island access on the west side from then on road on the east side from the opening and roundabout. Additionally, the applicant has worked to reduce down Road to 50 mile per hour speed restriction which

is part of the applicant scheme and was agreed by the local road authority. Second part I would like to pick on there is the fact that the applicants proposal introduces new side roads have a higher quality than Barry's Lin. They also have a higher speed limit. Therefore it loads the agricultural traffic to operate on a wider carriageway, higher speed rather than on a single narrow rural lane. I would also like to point out that in Barry's lane there is a school for traumatised children called Mary with house and therefore the impact on that also needs to be assessed. So the applicant closed variously and as part of the proposed scheme as a result of significant consultation feedback and significant engagement through the wider local Liaison Group and the sofa the 47 task force. It was not an applicant decision led only it was based purely on consultation feedback. The last point I would like to pick up on is a suggestion of concrete blocks. The applicant proposes the use of the so called concrete blocks known as porches blocks within the agricultural industry. We proposed them to Norfolk County Council as a potential mitigation measure for the hauling and land issue, as we discussed earlier, are unrestricted access for agricultural traffic. The blocks haven't spoke to a landowner who actually proposed them at the time, the landowner actually then came back to the applicant and said, they're not fit for purpose, because they only actually permit access for certain types of agricultural equipment and vehicles. And not all. Norfolk County Council also would not accept the the blocks on the local highway network, they are not a product that has been tested, or has any of the required regulations around them to facilitate use on the local highway network. So that's the point that I'd like to make. So thank you.

55:45

Thank you very much

55:46

for that. Thank you. I'm proposing that actually, to sort of leave this issue here, if that's okay. And I think I've dealt with everything that I want to deal with. And I've got the answers to two questions. But just before I do just want to check that everybody who wanted to participate under this, this item has had a chance to say what they want to say, and there's nothing else.

56:17

Okay, I'm not, I'm not seeing any hands on that. So what I'd now like to do is move on to Item four on the agenda, which is biodiversity. And, as with the previous ones, what I'd like to is our questions that I'd like to pose to the applicant to start with, please. And, and in the agenda, there are a series of bullet points. And what I'd like to do is to take bullet point one and two together. So that's sort of outlining the approach in respect to biodiversity. And then the second bullet point there, which is the suitability and adequacy of protected species surveys. So if I could ask the applicant, just a brief outline the approach and detail any additional survey work that's been undertaken since the submission of the application and any further work that may be due to be taken before the close of the examination. And also, just to look at the suitability adequacy of the protected species service, there was points made in the Norfolk County Council local impact reports, which questioned a number of those and I think they were responded to but it didn't seem to go into a great deal of detail in terms of your response on the local impact reports in terms of detailing the comments that were raised by the county council. So if you could have a consideration to those when you reply, that would be helpful. So I'm going through with questions Michael fry for the applicant. I'd like to introduce Miss Elana Cooper, to the examination, who

will answer your questions on biodiversity. So, I will flag up though, that your last two bullet points on biodiversity will be dealt with by myself. So it'd be added back to me at that point. Okay, thank you.

58:05

Good afternoon, sir Atlanta Cooper on behalf of the applicant. So, to just outline our approach to start off with the approach to the in ecological impact assessment is outlined in ies, chapter four, which is reference a PP. O four, three, and also further detailed in the biodiversity chapter eight a PPS dash 047 started off with getting an EIA scoping report and scoping opinion it was all done in the in accordance with dmr assessment methodology assessment, the significance criteria, that is outlined in table 4.2 of the chapter for a PPO four three, this goes from very, very large significance of effect that material and decision making process land down to slide which are non material in the in the decision making process. The magnitude of the potential effect is is assessed in accordance with dmr la 118 biodiversity design. And that's apologies that's that that's the reference to the ecological survey and design measures that that the surveys and mitigation measures would have been designed to. The assessment was done in accordance with dmr la 108 Revision one biodiversity and this is all in accordance with with best practice guidance. We have also undertaken the assessment in reference to the Chartered Institute of ecological ecology, environmental management, ecological impact assessment guidelines from 2018. So that's the general approach that we took to the assessment. With regard to what's what surveys have been done, when the IES was written, the survey data was all with most, if not all, wasn't within two years of, of writing the ies and submitting the application. And that's in accordance with same guidelines, dated April 2019, on the lifespan of ecological reports and surveys, and then advice note, it provides a further guidance about survey data that's in the region of between 18 months and three years old, which is were surveys that were done in 2019. Some were done in 2020. These are all updated surveys that were carried out in 2017. I can go into more detail about individual surveys if you'd like me to. So in the case where we have survey data for a scheme like this, where we're looking at survey data that most most of which is about 18 months old, none of which is more than three years old. There is guidance in the advice note that professional ecologist needs to undertake a site visits may also need to undertake an updated desk study and review the validity of the report based on based on certain factors. This has been done. And this has been done post submission as well. During the during the responses to relevant representations. We are also looking to provide an addendum update to the environmental statement chapter eight, that will include further desk study data. With regard to the surveys. as I as I said, most most surveys were done in 2019 2020 2020. And surveys were significant were required significant efforts. And we're we're significantly robust, sufficiently robust to base our assessment on again, I can go through individual surveys if if required.

1:03:01

I'm really believe in my professional opinion, looking, looking through the data several times and and getting to grips with with it, that it is it is sufficiently robust. visiting the site, there haven't been significant changes that would change the habitats and the baseline. It's important to state that we are going to carry out up to date surveys to ensure that our mitigation is designed in accordance with the most up to date information. These surveys are going to be updated in 2022. We are going to update surveys for habitats and invasive species. That's habitat is mainly just to provide a more more current background. More more current baseline sorry, for assessment of, of biodiversity metrics, using the more up to date new methodology. Previously, this was done in accordance with Phase One habitat

survey methodology, which is a method that's coming up to 30 years old. It's widely used in the industry, but it's a it's now being we are now looking to update that using UK habitat classification system which is more in line with what's required for the biodiversity metric calculator. It also provides clear data clear guidance on conditions assessment to provide a much more accurate picture of what the conditions of habitats are to ensure that we that we are calculating the baseline correctly. So that was the decision made to update that survey for next year. We're also going to update the invasive species survey not because they are an ecological conservation concern, but because they are a constraint and It's important that we know where they are. And we have the most up to date data about this. Other surveys we are going to update in 2020 to include surveys for Whitecloud. Crayfish in the registered waterfalls, an otter in the river tide out, and I should say the river tide and and its tributaries, anything that may or may be affected by the proposals, and also legally protected species including reptiles, barn owls, and badgers. We are also going to re review our preliminary risk assessment for for bat roofs potential and trees and buildings on site. And any features that we identify that could have that risk potential, we will take forward and do further survey to be clear on the picture of hibernation and summer maternity, whatever type of roost is being used, what the status of the roost is, if it's and do those surveys at the appropriate time. We will also be updating our surveys for the crossing points for bats. A huge body of work was done to assess the forging and commuting habitat and potential crossing points in in 2019. And that involved eight transects twice a month of the of the summertime summer period. And repeat visits for static detector surveys as well, that gave a good picture of the of the whole area that is was the study area. And the bat assemblages there and where were they with they were using the road to cross. So in 2020, crossing points surveys were carried out. And these were designed to be in accordance with the best practice guidance that is available for crossing point surveys and a quote and we will revisit that those surveys just to ensure that we have a clear picture of the baseline for the future, that we revisit the crossing point surveys. And we will redo those in 2022 to ensure that we have the most up to date baseline information for our further monitoring, which we have committed to post construction. And that is monitoring the crossing points. The mitigation that we're that we're going to be putting in for bat crossings crossing points in years, one, three and five post construction. Does sorry. So does that answer your question or?

1:08:08

It does. Thank you very much. Yes. And there's a few other comments that come from on for NATO's mitigation. And in particular, I was going to ask about the the bat mitigation, but I can leave that till we get to a bullet point rather than rather than posing that now. So yeah, that that's helpful in terms of answering my question. Thank you very much. Are there any comments or questions around interested parties with regards to that sort of the first two bullet points that I've identified in terms of the approach and the adequacy of the surveys? I can see that this person.

1:08:58

So Rebecca clutton for Anthony may male. And so we just got one query, it was helpful to hear confirmation that the backcrossing surveys are to be redone. The one outstanding query that I've got in relation to bats, and you'll recall that Mr. Metal has previously raised in his, in his witness statement, the fact of the presence of bats in the whole roof. And just for your notes, that was at rep 1045 At paragraph 35. And obviously, there has been no as we understand specific survey of those, and you'll have to forgive our ignorance, if Breilkopf crossing surveys that have been done will pick this up. But

we're not clear to if and to what extent and the possibility of disturbance to the bats that roost in that hall as a consequence of the presence of the compounds and construction activity in the like, would be captured by those surveys or Whether that is a gap in data that needs to be filled. Thank you.

1:10:09

Thank you very much. Yeah, Pat crumbs, the applicant for an answer to that they'll be helpful.

1:10:16

Yes, of course. I'm Alana Cooper on behalf of the applicant. surveys that were undertaking included emergence and reentry surveys of all features I'd identified within 50 metres of the of the DCO boundary that could potentially be affected by the proposals. These surveys or updates of previous surveys that were carried out in 2017. And the surveys that were carried out in 2017, covered a much wider study area. And these surveys, as I understand it, from my review of the of the information didn't did include berry hole. And it identified roosts at very hot and very hot icehouse. The surveys carried out in 2017, as I said, confirm these routes, but they were not reserved in 2019, because they are sufficiently outside of the affected area so that they should not be disturbed by the works. So, therefore, do not require re survey.

1:11:31

Thank you, Mr. Cohen's. I see you've got your hand up.

1:11:36

Yes, thank you, sir. David, coming Norfolk County Council. So you made some references to comments that Norfolk County Council had made in our representations. I just wanted to add on that point that we are working through that with the applicant. And we would look to the statement of common ground to provide those areas where we are, you know, in agreement and where we are content with the further information that has been provided, and also to identify those areas where we still have concerns, but at this stage, where we're not able to give an update in terms of each specific item that that will be for the segment to common ground.

1:12:17

That's fine that that's okay. In terms of those areas, that could be between you. Are there any survey employee that perhaps it's too early to say, but are there any survey implications or any implications with regards to the data that that is before me at this stage? I'm sorry, I should direct that question to somebody rather than just throwing out there. Perhaps if I could start with the applicants on that one. Sorry.

1:12:45

No problem. So Alanna Cooper on behalf of the applicant, so So can you just repeat the question for me, please? Yeah,

1:12:51

so So Mr. Cummings helpfully said that there'll be any standard common ground to identify and to sort of deal with the issues that they re raised. But that could well be some areas where there isn't an

agreement between the parties? Or what I want to try and understand is on those areas where there may not be agreement? Could there be issues in terms of the data that's currently before me that may need updating or that side of things, if that question makes sense.

1:13:17

Okay, I think I understand what you're saying. So in the instance, that we don't agree on the potential on this on the additional survey scope, where do we go from there? Yes. Well, in my opinion, I don't foresee that outcome. I believe we're having very constructive conversations. And we should, we should certainly be able to agree on further survey effort that that will be required, we will ensure that we have adequate information to base our baseline for designing mitigation. And we will make every effort to ensure that that that is agreed with Norfolk County Council. I hope that answers your question to your satisfaction, Sir,

1:14:07

is it goes and I suppose the other question in my mind, Denise, would the information be in front of me when I'm looking to make my recommendation or these additional surveys that would be happening posts.

1:14:24

So, yes, so surveys are seasonally constrained. We we should hopefully have more information on what further better understanding of what further emergence and reentry surveys will be required following our up to date updated preliminary Rusu appraisal, which involves looking at every tree in tree group to determine whether or not there is potential roost roost, sorry potential. So that's quite quite a quite big survey, it will include any buildings that may be affected by the proposals as well. But as for the emergence and reentry surveys themselves to determine whether or not they are in fact, confirmed wrists or not those will be updated at the right time of year which will be sometime between May and August. And that that will be that will be carried out to in two strict guidelines to ensure that we have the right information to to apply for any mitigation licence that we would that would be required. So, in So, in this instance, when it comes to mitigation licences the mitigation licence to be applied for for for bats and for great crested newts is European protected species licence which is an A 13 licence, Natural England as the competent authority charged with determining applications from mitigation licences. So, any decision maker just needs to be satisfied that it is not unlikely that a licence would be granted by the competent authority. There's a guidance note that can help with this, it's Natural England guidance note W M L dash g two four. And that just describes the duties placed on local authorities and other decision makers on the conservation of habitats and species regulations, I can confirm that it is very likely that Natural England will would grant a licence in this case, because the three tests that Natural England must apply will will be met. The three tests I refer to are set out in the regulation. And it's a it is a licence can be granted for the purposes of preserving public health or public safety or other imperative reasons of overriding public interest, which is the purpose of the scheme also, the relevant lessons he bought, he must not grant a licence unless it is satisfied that there is no satisfactory alternative and there has been a very thorough assessment of alternatives being carried out. And lastly, the relevant licencing body must not grant a licence unless it is satisfied that the action will not be detrimental to the population of the species concerned. So, the species needs to be maintained at its favourable conservation status. And it will be ensured that the mitigation designed will in will meet that

criteria. We are consulting with Natural England as we speak to to determine this and determine their approval of our of our sort of draft method statement. And we just on that note, we we have done quite a lot of survey of the potential routes in the trees in 2019. And premiums is based on previous data from 2017 that the the surveys carried out in 2019 pretty much confirmed what we found in 2017, even though they were redone, we are going to redo all of that all over again. So our confidence in what is required is is quite high, although we will ensure that we carry out these surveys again in 2022 to have the most accurate data possible.

1:19:08

Okay, thank you. That's excuse me that that's helpful. Thank you very much for that update, and then that position that that's great, thank you. And I think what I'd like to do is move on to the next two bullet points. So that deals with the first two so so thank you very much appreciate appreciate that. So the next two bullet points again, I think we might be able to take these together which is to consider the in combination effects of the first one with the developments and then also just like to and I think it's a natural sort of follow on from there is various IPS who have identified or raise a question that regards to a nearby bat colony, which is on or close to the roots of the the Northwest and link and but just as a start what I know in the response common response I and which We'll be in the response to marine questions, I think and he does a reference to up dead meetings with the scheme developers of the night trust and link roads, and it would just be helpful for me to sort of get her a position from the applicant in terms of what data is being exchanged with regards to the surveys that are undertaken on the door trust and links, survey techniques, mitigation etc, like that.

1:20:31

So, we are still awaiting the survey results, we understand that W SP have only recently finished finished their survey results and are packaging them up into a report we have requested this data, we still we we will review it in depth once we receive it, we have reviewed the their interim report. And that will that information will be included in our identity to the environment a statement I alluded to earlier. Okay, so we are continuing to to liaise with the NWSL team.

1:21:15

That's helpful. Thank you. And then like I said to be an update Did you know roughly when that update or sorry addendum to the contract will be provided?

1:21:25

I don't but I expected imminently

1:21:28

Okay, that's that's fine, thank you. And then just in terms of the the nearby back colony, which has been referred highlighted by a number of of interested parties, and I think this is a colony of barbarous drawbacks. And it will be helpful to sort of get the an understanding of what the applicants position is with regards to this.

1:21:55

Yes, of course, sir. So initial bat surveys undertaken in 2017 identified Bob Stowe on site. In late summer and early autumn, Bob Stowe, bats proved quoted, especially in The Woodlands, to the west of Tavish and road. And it was it's suggested that it's likely that there is a rooster located in this in this location. But activity transects and automated surveys were undertaken twice a month, and eight transects in both 2017 and 2019. So a lot of data has been has been gathered and assessed. And this has led us to understand the assemblage of bats on the site, the likelihood that we have bodystyle bats roosting in in some of the woodlands to the north of the proposed scheme. So that was picked up that's been picked up in in our environmental statement. In particular, I could point you to sorry, the environmental statement was the referencing a PP dash 047 Chapter eight and in paragraphs 8.7 point 598 point 7.60.

1:23:43

Up to 8.763 that sort of section of the report summarises the the situation on site with regard to to bats in general and picking out Bobby style bats and the areas of high high activities as well as the the four main areas that that bats are using to cross cross the 47. This concluded that the assemblage of bat species which includes the presence of Barbara Stowe is biodiversity resource of natural national importance at the at the site. So, the presence of dybuster bats in and around the site has been and will continue to be assessed for the for this scheme. The presence of the of the super colony that's referred to about five and a half kilometres away. Is it we have addressed this and the relative relevant represent a representative tations responses sorry and they are some that that colony is some distance away. So and we know that we've got bat bats that used to habitats near our sites. So it's the the body of information that's been submitted, it doesn't actually change the importance of our site for bats. And it doesn't and won't change our our overall assessment of the importance of of the of the area and the, and the site and these crossing points for bats. That is that is concluded in the chapter.

1:25:43

Okay, that's, that's yeah, that's helpful. Thank you very much. Just before I sort of move on to that biodiversity thing, I just want to see if there's any interested parties, you've got any particularly comments that they wish to make at this stage with regards to what we're discussing?

1:26:09

Okay, I'm not I'm not seeing any hands up. So I'll move on from that. So thank thank you very much for that, in terms of that, that sort of update with regards to, to those sort of two points, that that's helpful. Just to go back one step in terms of the in combination effects. Are there any other effects of the donor we've discussed? That's for an obvious reason. But are there any other in combination effects that need to be considered and are being considered?

1:26:42

That's excellent question. Sir. Alanna Cooper on behalf of the applicant, yes, we are looking at every ecological feature that that is important to us in our scheme and in the Norwich westlink scheme and looking at the zone of influence of both schemes combined, to to reassess now that we've got more information about the north northwest link road, we are going to update this cumulative impact assessment and provide that at I believe, the next deadline or the deadline after that, I have to get a steer from my team on that one. But that is being updated. And what my my initial assessment is that

the mobile species, including bats are really the only biodiversity resource that were in combination affects. Right require detailed assessment. But again, given the the overall impact assessment in the conclusion of the residual effects being being the large adverse effects, both schemes, combined together, will will have similar effects. So it's not going to even though we are updating it to ensure that it provides the most up to date and detailed information. I I do not believe is going to change change our assessment. However, my update has not finished. So that that will that will be forthcoming.

1:28:30

Okay, find that again. That's helpful. Thank you. Just a couple of additional sort of quick questions if I can on by that by so excuse me biodiversity, it's my attempt to get my teeth in the mix biodiversity net to gain a biodiversity net loss. And in response to I've posed this as a as a written question, which is our EP 2014. And I think this was helpfully answered at, and it's question 3.0 point seven. And there is a helpful, helpful response that we I understand and appreciate. So the legendary points that are being made within there and the lack of sort of the mandatory framework at this stage. But what I'm trying to sort of wonder is, without that, is there still the possibility of being able to at least do something that does demonstrate the biodiversity net gained at this game, I appreciate that there's no legislative requirement to do it. And there isn't necessarily a framework against which to do it. But whether there's some way that the scheme could sort of demonstrate given the discussions we had at the start in terms of design and the need to sort of do good design and the ethos that's within that document that are referred to and whether that's something that could be could be taken forwards. So absolutely, Michael fry for the applicant. I'll try and answer as best I can. You've indicated Of course, you understand the legislative framework, so I will still put it into written response, so just to set it all out for you, but the reality is that quantifying it is difficult. All we can do is, is say that, that the scheme will seek to maximise biodiversity delivery in accordance with the current statutory and policy requirements. And this will be achieved through considered planting to create new or extended landscape and biodiversity elements including species rich grass land, hedgerows, trees, woodland and biodiversity wetlands. And this is shown in the environmental master plan revision to examination reference rep three dash 016, which was submitted at deadline three. Further to that, as is referenced in the response to question 3.0 point seven, the LE MP, the landscape and ecology management plan will also come forward and that is produced by an appointed landscape architect and ecologist prior to construction. And that will describe the proposed management monitoring including durations of the landscape and ecological mitigation and compensation features of the scheme. As has been explained, overall biodiversity net gain is not currently considered to be an appropriate metric by the by the applicant. But I'll skip actually the the MPs point, sir, and just merely finish this bit about saying against that sort of policy and statutory background that you're aware of the applicants nevertheless committed to minimising environmental impacts, and protecting and enhancing the quality of the surrounding environment. And this is written into the terms of the highways England licence which binds the applicant. The guidance section of the licence indicates that highways England should where appropriate work with others to develop solutions that can provide increased environmental benefits over those which can be delivered alone where this delivers value for money. And furthermore, protecting diver and biodiversity is entrenched within the government road investment strategy, which states that the applicant must achieve no net loss of biodiversity during the second rate period, and deliver net gain in the longer term. And I appreciate that that is a a national level, not a scheme level point. But the point is that this scheme is seeking no net loss of biodiversity. But it's impossible for me at this stage to quantify that for you, sir,

apart from to point you to the various plans and commitments that the applicants made. Thank you, Mr. Frey. That that that's helpful. Thank you. I see Mr. Rook, you have your hand up.

1:32:45

Thank you, Sir Paul Clark, head of planning at Brown and coke. I don't know whether this is an appropriate point to to bring in at this stage. If I can take you to the environmental master plans. I think it's a double p 138. There's a range of plans there that illustrate the scheme and the the landscape proposals that they have. In fact, one of their notations makes reference to biodiversity. The reason why I raise it, I'm raising a point here is similar to what I raised yesterday, in relation to land in the ownership birth, Mr. Neal Alston, to the north of woodland junction, the proposed wood Lane junction, it's the the land that's immediately west of the Northern dump Bell roundabout. It's identified as having a major conservation of biodiversity and various other attributes. We feel that that man could be better used for roadside services. That's on sheet seven. On sheet six, I think it is, there is also it will show you that there are there is land and make it be sound of a proposed attenuation lagoon, which we believe would be better used for the purposes outlined for the island north of the proposed a 47 other words where we think we can actually provoke provide a greater and amount amount of land than it is proposed for the land on the northern side. So I think it's it's we feel that by doing so, by using the land to the south, we think that this is better to the biodiversity landscape issues and assist with the project far better than simply trying to create trees within a an island area, if you like that surrounded by roads. We feel that the land to the Sanath south of the attenuation on if that was proposed as some form of biodiversity in that game that would be better and more effective in fitting in with the existing board land and the proposed attenuation. That's all we have to say, sir.

1:35:43

Thank you. Can I just ask two quick questions if I could just for my notes, and the land to the south, which plan is in terms of environmental master plans that you first need to which permit I find that on that and

1:35:58

on sheet six, CIP, you see there's a a, a wetland area, I refer to it as a generation ago, and it looks like but anyway. I've got a proposed wetland.

1:36:14

Thank you.

1:36:15

Does it into the south of that?

1:36:18

Okay, yes, that does not fall within the red. The red line order limits the land we're talking about?

1:36:24

Sorry?

1:36:25

does it fall within the red line? Order limit? So the land you're outside? It's okay. Thank you for that.

1:36:35

Did you have another question?

1:36:36

No, that was a which there were just the two which plan and whether it was outside or inside the red line, just so that I know roughly? Which would land you're talking about. Thank you.

1:36:44

Thank you. Mr. Frey? Was there anything you wanted to come back on?

1:36:51

So not really that that that's been heard by the team, we will take it out. And we will write to you, in due course on that, as I understand that there are environmental constraints that will need to be considered. Sorry, Mr. Arthur might have something stage as well. So I'll hand over to him.

1:37:08

Sorry, thank you. So by the offer on behalf of the applicant, it's just to point out so that we have responded to this and relevant representations. The reference for that is RR zero to 2.1. And as we confirmed, on Tuesday, the CA hearing the deal has been provided for environmental and ecological mitigation, we're more than happy to provide a follow response in writing to you on that matter. So

1:37:34

thank you. Thank you that that reference is helpful. Thank you very much. Okay, so in terms of biodiversity and and sort of conscious of the time as I just have one. One final question with regards to mitigation. And this relates to to bat mitigation. And again, it's in answer to one of the written questions that I posed, which is three point 10, which was just talking about the need for further mitigation, if required, and about crossing points just to to explain where we are, this is where the monitoring will be done in years, one, three, and five after the scheme complaint is completed. And all of that may make sense to my mind. What I was wanting to do is just understand if those monitored monitoring shows an increase. What would the options be if additional mitigation is needed? And can that additional mitigation be delivered within the order limits? If that's the case, if further work is needed if those surveys show additional bats?

1:39:00

Hello, Sir, hello, sir Atlanta Cooper on behalf of the applicant. At this stage, it's uncertain what the mitigation with the additional mitigation could be. We will engage with stakeholders, including Natural England and Norfolk County Council to discuss options in the event that our monitoring demonstrates that the hopper points aren't working. And there are a number of different things this could be. It could be potentially planting more trees, which I believe there, there's a limited amount of additional tree planting that we could that we could do in the area to strengthen that perhaps or potentially taking strategic actions within the wider area and, and putting together a more holistic strategy. To witness

with Natural England in Norfolk County Council, we will ensure that we share our data from our monitoring at the regional level and we as far as far as we will, as far as the making sure that the commitment to deliver additional mitigation if it is required is concerned, we will take that away, and we will consider whether we need to update the EMP to reflect that commitment.

1:40:39

Okay, yeah, that that's helpful. Thank you very much. And Miss cotton actually got your hand up.

1:40:50

So, yes, Rebecca clutton for Mr. Men, or just one very brief points on biodiversity net gain. And I was a little surprised to hear the applicant saying now that it can't be quantified. And so you'll be aware, no doubt that in the context of other applications for nationally significant infrastructure projects, notwithstanding the absence of mandated requirements at this stage, or legislative requirements for BMG calculations to be prepared, it is commonplace for such assessments to be prepared. And I use just as by way, of example, very recent examination into the sizewell C project, where NNv generation, the applicant, the promoter of that project, did prepare in first of all, as part of its environmental statement. And then in terms of later updates to the examination of biodiversity net gain calculations. And so the suggestion that it can't be quantified, I'm not sure it's quite right. It isn't being quantified in this case. But that seems to us at any rate, a choice on the part of the applicant, just that separate thing. Thank you, sir.

1:42:05

Thank you very much, Mr. Fry. Sir Michael fry for that, then. Absolutely. As I said, this will be provided to you in writing. But the reality is that different metric 3.0 has not been agreed yet, which is why it's created a difficulty in us this scheme is proceeding as the environment bill is coming in. And that metric hasn't been fully identified. Now. It's incumbent on us not to propose something that we can't then abide by. So as I say, you will get a full written response on the point sir, setting it out against the current legislative position and the assessment of the scheme under the NN MPs. Okay, thank you very much. Are there any more comments on biodiversity? Mr. Hawker.

1:42:59

Thank you, sir. Richard Hawker when some Valley Alliance, I could just to confirm what was said about the bats. Particularly the identified super colony, I noticed in the common response pie from the applicant. This is our EP, one dash hoe. One Three. Stage with regards consideration of Wild Wings ecologies research findings, the applicant is aware that Norfolk County Council has requested Wild Wings ecology research findings, but has not yet received that data. And they go on to suggest that the examining authority may request that a copy of that research finding could I ask whether that has been received? And from what Alana Cooper was saying? Could she confirm whether the firm presence of that super colony would make any difference to the measures she would look at for this 847 application?

1:44:20

Thank you. Thank you, Mr. Volker. And if I could go back to the advocate just to to us, I think you may well have done it in terms of the discussion that we had answered answered that question, but if you

could just reiterate that and in terms of the data from Wild Wings, I've certainly not requested it as yet. I've not sure the applicant has received anything as yet but again, if you could, if you clarified the position that'll be helpful,

1:44:47

of course. Alana Cooper on behalf of the applicant we have not heard We have requested the data we have not received the data yet we understand that Norfolk County Council has not received the data yet either. We have some plans showing where where the colonies believe to be, but we have not been provided with, with with detailed data, radio tracking data, GPS coordinates of routes and, and detailed assessment of the importance of of the routes found. So, we we would require that data to include that in our in our in our assessment and we understand that it that wildlings have carried out further surveys in the areas closer to the A 47 But we've we've not seen any any of that any of that data with regard to the known count known colony at the dinosaur park. Again, I did address this earlier that is we our scheme is at the periphery of its of the core sustenance zone for that particular colony with some of the crossing points about five and a half kilometres away, and to the other crossing points where we found the most activity traffic from bats being outside of that six kilometres that of course, sustenance zone. So we are right at the at the periphery. So again, our our very comprehensive data on the bats assemblages that are using the the vicinity, the site in the vicinity of the site is sufficiently robust enough for us to determine the impacts on the local bat population. And, and with regard to that colony, that is about five and a half kilometres away from us from our site, there is significantly better foraging and breeding habitat in and around where where that colony is placed, and west and east of their colony, where there is lots of barriers to the to those bats between between between their colony and and our site. Lots of large tracts of arable land, improved grassland type habitat. So the likelihood is that the bats would use the better habitat for foraging and commuting that is available west east along the Wensum Valley corridor, rather than travel across farmland to reach the a 47 to then cross a 47. So we do believe that the data that we are using a sufficiently robust for us to have a good understanding of the bats that are in the vicinity of the site, the species of bats that are in the vicinity of the site we have assessed or assess the assemblage. Again, we will ensure that we update that we update that data to ensure that we have the most up to date, baseline to pre construction baseline to to ensure that any monitoring that happens post construction, understands, understands the picture. And we've we've have we will have the data from 2019. And can also consider the data from 2022 which will be a very good dataset to base that to base that on and also to base the scope of of the of the monitoring service going forward in the detail following the detailed design. Trust that answers your your query. So

1:49:12

it goes Thank you see Mr. Arthur's. Here, do you got additional comments just to make on the back of that,

1:49:19

just to supplement Sorry, buddy for on behalf of the applicant. So it's just a supplement Alana's responses that the applicant has covered this within a response to the relevant representations in document rep 1013. Under common response I and also our 05 V and response to Wild Wings ecology. Within the applicant response to that there is a request that the examiner requests the information be provided by wild wings ecology, and issued to the relevant interested parties Norfolk County Council

Natural England and the applicant. The applicant also confirms that no further responses have been received from Wild Wings ecology since the response to the relevant reps are thanks You

1:50:01

okay, thank you that that's that's useful. Mr. Harker.

1:50:12

Thank you, sir. Richard Hawker winsome Valley Alliance. With respect. I did point that out common response I, in my query. I feel I haven't had a complete answer to my query, which was really, I think I know the answer. But it was in a roundabout fashion, that the presence or absence of the super colony identified by wild wings would not make any difference to the proposed surveys that the applicant would do. And to the their assessment of the situation. I think I took from Miss Cooper's response that that that is, in fact, what she was saying, on my writing that's regarding

1:51:05

That is my understanding, but I see it gives here, so perhaps she could just, I don't want to put words in an applet perhaps you can just qualify that

1:51:14

Alana Cooper on behalf of the applicant. So, we have assessed the zone of influence of of the scheme. And we have reviewed extensive survey data within the boundaries of our scheme that was carried out in both 2017 and 2019. And, and also further for the crossing point service carried out in 2020. So the the location of bat roosts out outside of the zone of influence for scheme, understandably, would not be would not be, would not come into it because they would be outside of the influencing distance proposals influencing zone of the scheme. So, I hope that answers the query, we and just just to clarify as well, is that we have looked at records of of bats and the presence of bats within 10 kilometres of our scheme. And that assessment, and also the understanding of this additional data has hasn't has informed our assessment of the importance of the assemblage on site and our scheme. And we have assessed that assemblage as being of national importance. So I cannot see any further data changing changing that assessment, which is are already you know, assessing the as a national importance, resource, primarily based on the on the presence of, of Bob Estelle bats. So I trust that answers answers your your, your query, but I can provide further detail if required.

1:53:14

No, I think I think from my perspective, that that's helpful. And I think I've got everything from the answers that that you given in the discussion. So thank you very much. I'm just conscious of the time we were going for a reason about a time that this sort of third session. So what I'm going to suggest is the process, we take a short break. And when we then come back, we can then sort of pick up some of the other items on the agenda, at which point we can perhaps see where we're getting to in terms of the need for tomorrow and things like that. What I'd suggest is we take perhaps a 15 minute break if that's okay. The time now is five to four. So I suggest if we come back at 10 past four, and then we can then sort of depends on the other items on the agenda. So thank you for your your involvement so far. And this is just the beginning is adjourned until 10 past four